

## Officer History

**Officer Name:** Yazzo, Christophe

**Tax ID:** 946404

**Sex:** M

**Shield:** 1965

**Race:** Hispanic

**Rank:** DT3

**Command:** 333

**DOB:** 01/10/1981

**Appt Date:** 01/07/2008

**Age:** 39

**Tenure:** 12

CCRB #	Report Date	Incident Date	Allegation	Disposition	NYPD Disposition	NYPD Penalty	Command
201203767	03/23/2012	03/04/2012	OMN - Failure to prepare a memo book entry	Other Misconduct			103
201309924	10/22/2013	10/16/2013	Offensive Lang. - Gender	Unsubstantiated			103
201603216	04/14/2016	03/31/2016	Abuse - Other	Unsubstantiated			103
	04/14/2016	03/31/2016	Force - Hit against inanimate object	Unsubstantiated			103
	04/14/2016	03/31/2016	Force - Physical force	Unsubstantiated			103
<b>Total Charges = 5</b>					<b>Total Cases = 3</b>		

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Kimberly Eldridge	Team: Team # 4	CCRB Case #: 201203767	<input checked="" type="checkbox"/> Force <input type="checkbox"/> Discourt. <input type="checkbox"/> U.S. <input type="checkbox"/> Abuse <input type="checkbox"/> O.L. <input checked="" type="checkbox"/> Injury
Incident Date(s) Sun, 03/04/2012 3:29 AM	Location of Incident: Jamaica Center -- Parsons Boulevard and Archer Avenue E train station	Precinct: 103	S.O.L. Expires: 09/04/2013
Date/Time CV Reported Fri, 03/23/2012 12:56 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 03/23/2012 12:56 PM

Complainant/Victim	Type	Home Address
1. [REDACTED]		

Subject Officer(s)	Shield	TaxID	Command
1. Officers			
2. POM Christophe Karroll	24634	945871	103 PCT
3. POM Christophe Yazzo	16122	946404	103 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Louis Yearwood	30445	937770	TB DT20
2. SGT Brian Cea	03018	922093	TB DT20
3. SGT Ivan Gomez	04626	897578	103 PCT
4. POM Michael Mitchell	07782	918014	103 PCT

Officer(s)	Allegation	Investigator Recommendation
A . Officers	Force: Officers used physical force against [REDACTED]	A . Exonerated
B . POM Christophe Karroll	Other: Officer Christophe Karroll failed to prepare a memo book entry as required.	B . Other Misconduct
C . POM Christophe Yazzo	Other: Officer Christophe Yazzo failed to prepare a memo book entry as required.	C . Other Misconduct

### Case Summary

On March 23, 2012, [REDACTED] filed this complaint with the CCRB via phone. On March 26, 2012, the CCRB received [REDACTED] handwritten complaint form via mail. At 3:29AM on March 4, 2012, Officer Louis Yearwood of Transit District 20 arrested [REDACTED] inside of the Jamaica Center – Parsons/Archer subway station in Queens. The following allegation resulted from officers' actions:

- **Allegation A) Force: Officers used physical force against [REDACTED].**  
The investigation determined that officers used the minimum amount of force necessary to apprehend [REDACTED]. Therefore, it is recommended that **Allegation A** be closed as **Exonerated**. Allegation B)
- **Allegation B) Other: Officer Christopher Karroll failed to prepare a memo book entry as required.**
- **Allegation C) Other: Officer Christopher Yazzo failed to prepare a memo book entry as required.**

By not preparing memo book entries regarding this incident, Officer Karroll and Officer Yazzo were in violation of Patrol Guide Procedure 212-08. Therefore, it is recommended that *other misconduct* be noted.

### Results of Investigation

#### Civilian Statement

##### Complainant/Victim: [REDACTED]

- [REDACTED] 53-year-old black male who is 6'2" tall and weighs 220 pounds. [REDACTED] has black hair and brown eyes.

#### Arrest Photo

[REDACTED] does not appear to have any injuries in his arrest photo (enc. C10).

#### Statements to Medical Personnel

As per the Medical Treatment of Prisoner Report (MTPR) prepared for him, [REDACTED] requested medical treatment for a cut to his nose that he sustained during his arrest (enc. C9). [REDACTED] statements to Jamaica Hospital medical personnel remain unknown because the CCRB was unable to obtain his complete medical records (see "Medical Records" section). Between March 6, 2012 and July 23, 2012, [REDACTED] obtained medical treatment while incarcerated (enc. E10-E128). On March 12, 2012, [REDACTED] complained that he was experiencing numbness and loss of sensation of three of the fingers on his left hand as well as in his left wrist. [REDACTED] also noted restricted movement in his left forefinger. [REDACTED] attributed his injuries to being handcuffed too tightly by NYPD officers during his March 4, 2012 arrest. On March 20, 2012 and April 20, 2012, [REDACTED] again complained of numbness in his left wrist and several of his fingers.

#### CCRB Statement

On June 18, 2012, [REDACTED] was interviewed in person at the George R. Vierno Center on Rikers Island (enc. C5-C12). [REDACTED] statement is consistent with his handwritten statement and is summarized below.

At approximately 2:45AM on March 4, 2012, [REDACTED] was sleeping in the rear of an E train that had pulled into the Jamaica Center – Parsons/Archer subway station in Queens. Because this is the last stop on the line, trains usually remain at the location for a period of time before repeating the route in the opposite direction. [REDACTED] woke up, exited the train via the train car's one open door, and walked along the platform towards the front of the train. A second train pulled into the station and the

passengers exited the train. [REDACTED] entered the second car of the second train that had pulled into the station via the car's one open door. [REDACTED] sat at the end of the train car across from a sleeping homeless woman. [REDACTED] did not notice anyone else in the train car. Less than two minutes after sitting down, Officer Louis Yearwood of Transit District 20 entered the car. [REDACTED] identified Officer Yearwood by name, and described him as a 5'9"-5'10" tall black male with a medium build, who was approximately 35-years-old.

Officer Yearwood asked [REDACTED] to exit the train because he observed him walking through the train cars. Because [REDACTED] had already begun to fall asleep and was not yet fully awake, he responded, "What?" Officer Yearwood again asked [REDACTED] to exit the train and stated that he observed [REDACTED] walk between train cars. [REDACTED] stood up and told Officer Yearwood that he was lying, but did not exit the train.

Sergeant Brian Cea of Transit District 20 entered the train car and stated to [REDACTED], "He said you walked through the train cars." [REDACTED] identified Sergeant Cea by name, and described him as a 6'2" tall white male, who had a broad and stocky build, was in his early 30s, had dark hair, and was dressed in plainclothes. [REDACTED] again denied that he walked through the train cars. Sergeant Cea asked [REDACTED] to provide identification, and [REDACTED] immediately provided Sergeant Cea with his New York State Identification Card. At that time, Officer Yearwood exited the train and walked down the platform. [REDACTED] did not know how far Officer Yearwood walked because he lost sight of him.

[REDACTED] stood approximately five feet away from Sergeant Cea and kept his arms down and at his sides. [REDACTED] and Sergeant Cea spoke about the situation, and [REDACTED] again denied that he was guilty of the alleged infraction. At no time did [REDACTED] use profanity towards Sergeant Cea or raise his voice. As [REDACTED] spoke with Sergeant Cea, he heard a loud radio transmission outside of the train. The radio transmission mentioned an assault against a police officer. [REDACTED] believed that Officer Yearwood called dispatch and reported that he was assaulting Sergeant Cea. At no time, however, did [REDACTED] assault Sergeant Cea or Officer Yearwood. Less than thirty seconds later, a group of four or five uniformed officers arrived at the scene. One of the officers was a uniformed white female. The rest were white males who were approximately the same size and age. [REDACTED] was unable to distinguish between them and was unable to describe them further.

Without saying anything, one of the uniformed male police officers tried to handcuff [REDACTED] who refused to be handcuffed and held his hands stiff and at his sides. The officer grabbed [REDACTED] in a bear hug around his waist and pushed [REDACTED] against the side of the open train car door. [REDACTED] did not attempt to flee and did not move his body around. [REDACTED] and the officer then stumbled out of the train. [REDACTED] landed on his front with his hands pinned beneath his body. [REDACTED] did not hear the officers say anything to him. The officers tried to pull [REDACTED] arms behind his back, but [REDACTED] kept his arms tucked firmly underneath his body. One of the officers placed his knee in [REDACTED] back. The officers then started punching [REDACTED] in the face and head. [REDACTED] moved his head around in an effort to avoid the blows, but did not otherwise move his body around. As the officers punched [REDACTED], one of the officers kicked [REDACTED] in the middle of his face one time. The force of the blow caused [REDACTED] sunglasses (which he was still wearing) to break in the middle. The exposed metal scratched the right side of the bridge of [REDACTED] nose, causing a small laceration that began to bleed. [REDACTED] was punched in the head a total of six times. [REDACTED] however, was not affected by the punches because the officers "punched like women" and there was not much force behind the punches. [REDACTED] did not see which officer(s) punched him and did not know which officer kicked him in the face.

The struggle lasted for approximately one minute before [REDACTED] allowed the officers to pull his arms behind his back and handcuff him. The officers then picked [REDACTED] up from the ground, leaving the broken sunglasses behind. When [REDACTED] was standing, he only saw police officers. There were no civilians on the platform or on the train. [REDACTED] began cursing at the officers, calling

them “faggots,” “punks,” and “fucking goons.” [REDACTED] was bleeding from the laceration to his face and was experiencing back pain. One of the officers asked [REDACTED] if he wanted to go to the hospital and [REDACTED] stated that he did. [REDACTED] was removed to Jamaica Hospital directly from the scene of his arrest. [REDACTED] was transported to the hospital via ambulance. [REDACTED] received x-rays while at the hospital and was diagnosed with multiple abrasions and a contusion to the chest wall. [REDACTED] has been experiencing numbness to his left hand and wrist, and has obtained medical treatment while incarcerated on Rikers Island. While incarcerated, [REDACTED] received an MRI and has seen a nerve specialist.

After being treated at Jamaica Hospital, [REDACTED] was taken to the Transit District 20 stationhouse. [REDACTED] was charged with criminal possession of stolen property in the fifth degree. [REDACTED] had three cell phones on him at the time of his arrest. The cell phones were in his jacket pockets and they all belonged to him. [REDACTED] denied that any of the aforementioned items was stolen. [REDACTED] denied assaulting a police officer and denied ever walking between the train cars.

### **NYPD Statements**

**Witness Officers:** OFFICER LOUIS YEARWOOD (Transit District 20)  
SERGEANT BRIAN CEA (Transit District 20)

**Subject Officers:** OFFICER CHRISTOPHER KARROLL (103<sup>rd</sup> Precinct)  
OFFICER CHRISTOPHER YAZZO (103<sup>rd</sup> Precinct)

- *Officer Louis Yearwood is a 38-year-old black male who is 5'7" tall and weighs 195 pounds. Officer Yearwood has black hair and brown eyes.*
- *Sergeant Brian Cea is a 43-year-old Asian male who is 6'1" tall and weighs 240 pounds. Sergeant Cea has black hair and brown eyes.*
- *On March 4, 2012, Sergeant Cea worked from 10:00PM the previous day to 6:44AM that morning and Officer Yearwood worked from 9:30PM the previous night to 6:30AM that morning. Sergeant Cea and Officer Yearwood were dressed in plainclothes and were assigned to Transit District 20's Anti-Crime team. Sergeant Cea and Officer Yearwood were on foot at the time of the incident.*
- *Officer Christopher Karroll is a 30-year-old white male who is 5'8" tall and weighs 210 pounds. Officer Karroll has brown hair and brown eyes.*
- *Officer Yazzo is a 32-year-old Hispanic male who is 5'9" tall and weighs approximately 165 pounds. Officer Yazzo has black hair and brown eyes.*
- *On March 4, 2012, Officer Karroll and Officer Yazzo worked from 11:15PM the previous night to 7:50AM that morning. Officers Karroll and Yazzo were in uniform, and were assigned to patrol sector A in a marked RMP.*

### **Memo Books**

Officer Yearwood had two entries in his memo book regarding this incident (enc. D1-D3). At 3:20AM, Officer Yearwood observed [REDACTED] engage in unsafe riding. At 3:29AM, [REDACTED] was placed under arrest for unsafe riding, disorderly conduct, resisting arrest, and criminal possession of stolen property. Sergeant Cea had one entry in his memo book regarding this incident (enc. D15-D17). At 3:29AM, Sergeant Cea was present when Officer Yearwood made an arrest at the Jamaica Center – Parsons/Archer subway station. Neither Officer Karroll nor Officer Yazzo had any entries in their memo books regarding this incident (enc. D20-D23 and D26-D28).

### **Arrest Paperwork**

Officer Yearwood completed a complaint report and an OLBS worksheet for [REDACTED] (enc. D4-D6 and D8-D10). The narratives in each are the same, and state that Officer Yearwood observed [REDACTED] walk between train cars without authority or permission to do so. When Officer Yearwood asked [REDACTED] to provide identification, [REDACTED] became loud and boisterous. When officers

tried to place [REDACTED] under arrest, [REDACTED] resisted by flailing his arms and clenching them under her chest to prevent officers from handcuffing him. Search incident to arrest found [REDACTED] to be in possession of two cell phones that did not belong to him. [REDACTED] was charged with criminal possession of stolen property, disorderly conduct, resisting arrest, and unsafe riding.

#### **Medical Treatment of Prisoner Report (MTPR)**

Officer Yearwood completed a MTPR for [REDACTED] in which he noted that [REDACTED] requested medical treatment and complained of a cut to his nose (enc. D11).

#### **CCRB Statements**

On October 25, 2012, Officer Yearwood and Sergeant Cea were interviewed at the CCRB (enc. D12-D14 and D18-D19). On March 7, 2013, Officer Karroll was interviewed at the CCRB (enc. D24-D25). On March 21, 2013, Officer Yazzo was interviewed at the CCRB (enc. D29-D30). Their statements were substantively consistent and are summarized below. The inconsistencies are noted.

At approximately 3:00AM, Sergeant Cea and Officer Yearwood were patrolling the Jamaica Center – Parsons/Archer subway station in Queens when Officer Yearwood observed [REDACTED] walk between subway cars on an E train that was sitting in the station. Sergeant Cea and Officer Yearwood entered the train, approached [REDACTED] (who was now sitting), and identified themselves as police officers. They repeatedly asked [REDACTED] to get off of the train and provide identification, but he refused to do so. [REDACTED] became increasingly agitated and aggressive, and repeatedly asked why he had to exit the train. [REDACTED] made numerous statements including, “Fuck that, I’m not getting off the train.” Sergeant Cea explained the situation to [REDACTED], and informed [REDACTED] that he could be issued a summons for walking between train cars, but [REDACTED] still refused to provide identification or exit the train.

An unknown individual passed by the area. Sergeant Cea believed that this may have been an MTA worker and that this worker called 911 to request assistance for the officers. Officer Yearwood did not know who called for assistance. Minutes later, a number of officers from the 103<sup>rd</sup> Precinct, including Officer Christopher Karroll and Officer Christopher Yazzo, responded to the location and congregated at the scene. Officer Yearwood noted that a uniformed transit sector also responded to the scene. Neither Sergeant Cea nor Officer Yearwood could identify the responding officers, and neither of them recalled seeing a female officer at the scene.

[REDACTED] stood up and stood with his back towards the open train doors, but neither Sergeant Cea nor Officer Yearwood took any action to get [REDACTED] to do so. [REDACTED] began to curse and scream, again refusing to exit the train. Officer Yearwood speculated that [REDACTED] provided identification during this time, but noted that [REDACTED] name was not run for warrants because [REDACTED] was placed under arrest shortly thereafter. [REDACTED] and the officers argued for several minutes until [REDACTED] “threw” his hands up in the air and the officers who were standing behind [REDACTED] grabbed him by the arms and pulled him off of the train. Neither Sergeant Cea nor Officer Yearwood could recall the number of officers who grabbed [REDACTED] at this time. Neither Officer Karroll nor Officer Yazzo was involved in removing [REDACTED] from the train.

Officer Yearwood and Officer Yazzo stated that once [REDACTED] was off of the train, he flailed his arms, preventing officers from handcuffing him. Sergeant Cea stated, however, that [REDACTED] stiffened his body, holding his arms against his chest. The officers repeatedly ordered [REDACTED] to stop resisting and give up his hands, but [REDACTED] did not comply. [REDACTED] was still standing at this time, but because officers were unable to handcuff him, they pushed [REDACTED] down to the ground. None of the officers could recall what, if any, specific actions the officers took to get [REDACTED] to the ground, but Officer Yazzo speculated that it may have been the sheer momentum of the struggle that caused [REDACTED] to lose his balance. Initially [REDACTED] landed on his side, but [REDACTED]

████████ quickly crossed his arms over his chest and rolled onto his stomach. ██████████ continued to shout and ignored the officers' directives to place his hands behind his back.

None of the officers could recall the number of officers who struggled with ██████████ at this time. As this was occurring, additional officers from both transit and the 103<sup>rd</sup> Precinct responded to the location. None of the interviewed officers could identify the responding officers. Some of the responding officers joined in the struggle. Neither Sergeant Cea nor Officer Yazzo was involved in the struggle. Officer Yearwood did not recall whether he was involved, and Officer Karroll stated that he was involved. Officer Karroll assisted the officers by grabbing one of ██████████ arms. At least one other officer held the same arm, but Officer Karroll did not recall the identity of this officer. All of the officers repeatedly ordered ██████████ to stop resisting and give up his hands. Officer Karroll did not grab or pull at any other part of ██████████ body aside from his arm. At no time did Officer Karroll, Officer Yearwood, Sergeant Cea, Officer Yazzo, or any officer they witnessed punch, kick, or otherwise strike ██████████. Eventually, the officers were able to pull ██████████ arms from underneath him and place them behind his back so that he could be handcuffed. ██████████ demeanor did not change after he was handcuffed, as he was still loud, argumentative, and combative. Sergeant Cea, Officer Karroll, and Officer Yazzo all stated that ██████████ did not appear to be injured. Officer Yearwood did not recall whether ██████████ had any visible injuries, and noted that he would have documented any injuries in the MTPR that he completed for ██████████. ██████████ did not complain of any injuries to any of the officers, but as per Officer Yearwood, ██████████ told medical personnel at Jamaica Hospital that he had been injured during his arrest. There were no officers injured as a result of this incident. ██████████ was charged with resisting arrest, disorderly conduct, criminal possession of stolen property (SILA discovered cell phones on his person that did not belong to him), and unsafe riding. ██████████ was not summonsed for unsafe riding because he is an indexed crime recidivist, and was therefore ineligible for a summons.

**Witness Officers: SERGEANT IVAN GOMEZ (103<sup>rd</sup> Precinct)**

**OFFICER MICHAEL MITCHELL (103<sup>rd</sup> Precinct)**

- *Sergeant Ivan Gomez is a 49-year-old Hispanic male who is 5'6" tall and weighs 180 pounds. Sergeant Gomez has salt and pepper hair and brown eyes. Sergeant Gomez also has a salt and pepper moustache and a light beard.*
- *Officer Michael Mitchell is a 49-year-old white male who is 6'0" tall and weighs 195 pounds. Officer Mitchell has brown hair and brown eyes.*
- *On March 4, 2012, Sergeant Gomez worked from 11:05PM the previous night to 8:02AM that morning. Sergeant Gomez was the patrol supervisor. Sergeant Gomez and his operator, Officer Casey, were dressed in uniform and were assigned to marked RMP 3501.*
- *On March 4, 2012, Officer Mitchell worked from 11:15PM the previous night to 7:50AM that morning. Officer Mitchell and his partner, Sergeant Zabransky, were dressed in uniform and were assigned to marked patrol car 4017.*

**Memo Books**

Neither Sergeant Gomez nor Officer Mitchell had any memo book entries regarding this incident (enc. D31-D32 and D35-D36).

**CCRB Statements**

On March 5, 2013, Sergeant Gomez was interviewed at the CCRB (enc. D33-D34). On March 7, 2013, Officer Michael Mitchell was interviewed at the CCRB (enc. D37-D38). Their statements are summarized below.

Shortly after 3:00AM, Sergeant Gomez and Officer Casey responded to the incident location following a call for assistance placed over the radio by transit officers. When they arrived at the location,

however, [REDACTED] was being led out of the station. Neither Sergeant Gomez nor Officer Casey witnessed [REDACTED] apprehension. Sergeant Gomez did not have clear sight of [REDACTED] and was unable to attest to whether [REDACTED] had any visible injuries. Sergeant Gomez did not hear [REDACTED] complain of injury. Sergeant Gomez and Officer Casey were at the scene for approximately one minute before resuming patrol.

Officer Mitchell had no recollection of this incident. The investigator provided Officer Mitchell with a brief synopsis of the incident and showed him [REDACTED] arrest photo, neither of which helped to refresh Officer Mitchell's memory. Officer Mitchell did not recall assisting in [REDACTED] arrest and as such, he was unable to attest to whether he used physical force against [REDACTED]

### **Medical Records**

On March 4, 2012, [REDACTED] was treated at Jamaica Hospital. As per [REDACTED] discharge paperwork, [REDACTED] was diagnosed with abrasions and a contusion to his chest wall (enc. E1-E2). The investigator attempted to obtain [REDACTED] complete medical records from Jamaica Hospital via mailed subpoena on three occasions. The investigator also contacted Jamaica Hospital twice and spoke with medical records personnel in regards to the requests. On three occasions, however, Jamaica Hospital sent the investigator correspondence indicating that [REDACTED] medical records could not be provided to the CCRB because the hospital had no record of him obtaining treatment on the date of incident (enc. E3-E8).

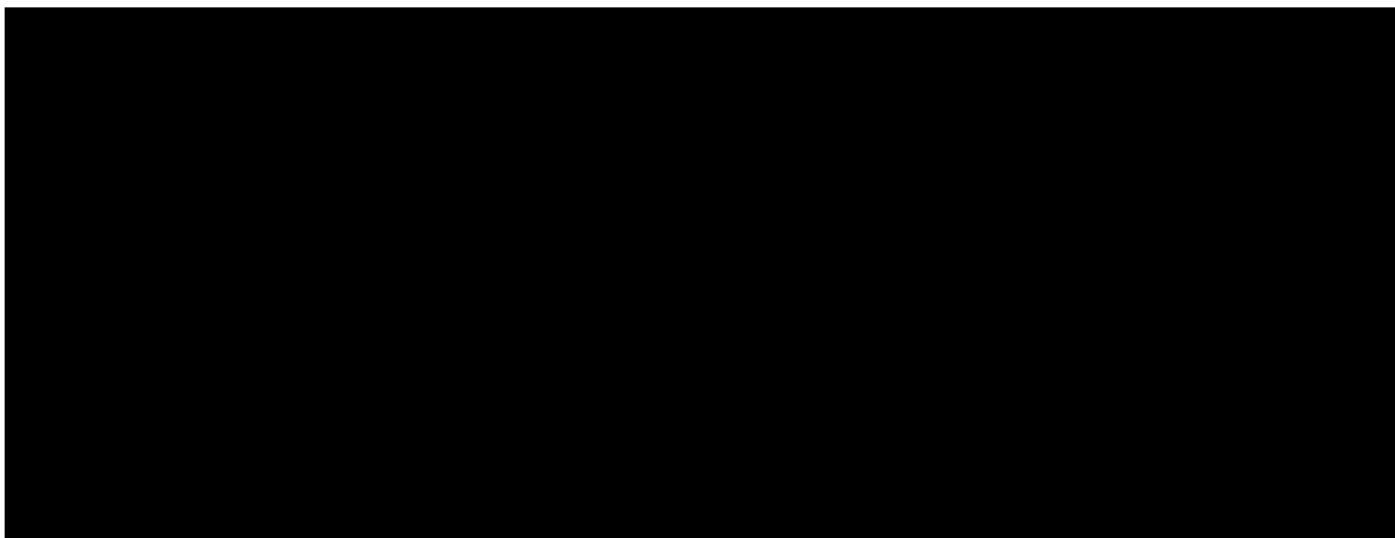
Between March 6, 2012, and July 23, 2012, [REDACTED] obtained treatment while incarcerated (enc. E10-E128). [REDACTED] was diagnosed with an unspecified injury to the radial nerve in his left hand/wrist. [REDACTED] asked to see a nerve specialist, but it is unclear whether that occurred and what the result was.

### **Disposition of Arrest**

- On September 25, 2012, [REDACTED] pleaded guilty to disorderly conduct and was sentenced to time served (enc. G1-G3).

### **Status of Civil Proceedings**

- On March 12, 2012, [REDACTED] filed a Notice of Claim against the City of New York (enc. H1). [REDACTED] is claiming one million dollars in damages.





### **Civilian CCRB History**

- This is [REDACTED] first and only CCRB complaint (enc. B1).

### **Subject Officer CCRB History**

- The CCRB has not substantiated any allegations against Officer Karroll and Officer Yazzo in their five years of service to the NYPD (enc. B2 and B3).

### **Conclusion**

#### **Identification of Subject Officers**

- [REDACTED] alleged that an unidentified officer forcibly removed him from the train, that officers whom he did not see, could not describe, and could not identify punched him in the face and head, and that an officer whom he did not see, could not describe, and could not identify kicked him in the face. All of the interviewed officers denied committing the infractions alleged by [REDACTED]. Additionally, civilian and officer statements all suggest that there were more officers at the scene than were identified via the investigation. Despite the investigation's inability to definitively identify the subject officers of the allegation, the investigation was able to come to a conclusive finding regarding the allegation and determined that the officers involved did not engage in misconduct. Therefore, a general physical force allegation is pleaded against "Officers" from an unspecified command.

#### **Investigative Findings and Recommendations**

- **Allegation A) Force: Officers used physical force against [REDACTED]**  
[REDACTED] alleged that an unidentified officer forcibly removed him from the train and caused him to fall to the ground. [REDACTED] also alleged that officers whom he did not see and could not describe or identify punched him in the face and head approximately six times, and that an officer whom he did not see and could not describe or identify kicked him in the middle of his face one time, causing [REDACTED] sunglasses to break in the middle and scratch his nose. Sergeant Cea, Officer Yearwood, and Officer Yazzo all agreed that [REDACTED] had to be forcibly removed from the train because he refused to comply with multiple directives that he leave the train of his own volition. Sergeant Cea, Officer Yearwood, Officer Yazzo, and Officer Karroll all denied punching, kicking, and otherwise striking [REDACTED], and they denied observing any other officer do so. As per [REDACTED] statements and that of the officers, there did not appear to be any civilian witnesses to the incident. Sergeant Gomez was not present for [REDACTED] apprehension and Officer Mitchell had no recollection of responding to the scene.

Patrol Guide Procedure 203-11 states that officers can use only the minimum amount of force necessary to overcome resistance and effect an arrest (enc. A1-A2).

It is undisputed that [REDACTED] resisted arrest. [REDACTED] stated that a uniformed police officer attempted to handcuff him as he stood on the train, but he refused to be handcuffed and held his hands stiff and at his sides. Additionally, [REDACTED] stated that once he was on the ground, he tucked his arms underneath his chest and refused to give up his hands when officers tried to pull them behind his back. Sergeant Cea's narrative regarding [REDACTED] resistance was the same as that of [REDACTED]. Officers Yazzo and Yearwood stated that [REDACTED] flailed his arms after he was forcibly removed from the train and before he was on the ground, while Officer Karroll could not attest to what occurred before [REDACTED] was on the ground. Officers Yazzo, Yearwood, and Karroll all stated, however, that [REDACTED] tucked his arms beneath his chest while he was on the ground and refused to allow officers to pull his arms behind his back. The officers indicated that [REDACTED] resistance made it difficult for officers to handcuff him. As per Sergeant Cea and Officers Yazzo, Yearwood, and Karroll, the only force used once [REDACTED] was on the ground was the constant pulling and yanking of his arms so that [REDACTED] could be handcuffed.

██████████ alleged that he was punched in the face and head no less than six times, but did not report sustaining any injuries as a result of being punched. In fact, ██████████ stated that the punches did not affect him because the officers “punched like women” and there was not much force behind the punches. ██████████ alleged that force of the kick to the face caused his sunglasses to break in the middle and the exposed metal of the sunglasses caused a small scratch to the right side of the bridge of his nose. The alleged scratch, however, is not visible in ██████████ arrest photo. As per the MTPR, ██████████ requested medical treatment because of the scratch on his nose. ██████████ was taken to Jamaica Hospital for medical treatment. Although the CCRB was unable to obtain ██████████ complete medical records, the CCRB did obtain ██████████ hospital discharge paperwork. As per the discharge paperwork, ██████████ was diagnosed with abrasions and a contusion to his chest wall. There is no mention of injury to his face or head and there is no indication that ██████████ sustained any injuries that were the result of blunt force. ██████████ obtained additional medical treatment while in custody of the New York City Department of Correction. ██████████ complained of, and was treated for, injuries to his hands and wrists, but again there was no mention of injury to his face or head and there is no indication that ██████████ sustained any injuries that were the result of blunt force.

The officers all denied that ██████████ was punched or kicked and stressed that the only force used to apprehend him was pulling his arms behind his back. Based on ██████████ resistance and the officers’ sustained inability to handcuff him, however, the officers would have been warranted in executing calculated strikes in order to gain his compliance. ██████████ medical records, however, suggest that this was not the case, and that he was not the victim of blunt force trauma. As a result, the investigation determined that the officers who apprehended ██████████ used only the minimum amount of force necessary to do so. Therefore, it is recommended that **Allegation A** be closed as **Exonerated**.

- **Allegation B) Other: Officer Christopher Karroll failed to prepare a memo book entry as required.**
- **Allegation C) Other: Officer Christopher Yazzo failed to prepare a memo book entry as required.**

Officer Karroll and Officer Yazzo did not prepare memo book entries regarding this incident.

Patrol Guide Procedure 212-08 requires officers to maintain memo book entries containing pertinent information about their activities, including “assignments received” and “tasks performed” (enc. A3-A5).

Officer Karroll and Officer Yazzo responded to transit’s call for assistance and they were present for ██████████ arrest. By not documenting this incident, Officers Karroll and Yazzo were in violation of the above mentioned Patrol Guide Procedure.

Therefore, it is recommended that *other misconduct* be noted.

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Team:   4  

Investigator:	_____	Kimberly Eldridge	_____
	Signature	Print	Date
Supervisor:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date